



## **BERKELEY COUNTY PLANNING COMMISSION**

400 West Stephen Street - Suite 203, Martinsburg, WV 25401-3838

Telephone: 304-264-1963, Fax: 304-262-3127

Web Page: [www.berkeleywv.org](http://www.berkeleywv.org)

### **Berkeley County Planning Commission Agenda County Council Chambers September 3 @ 6:00 pm *AMENDED***

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. SUNSHINE LAW SPEAKERS
5. APPROVAL OF MEETING MINUTES
  - a. August 19, 2019 minutes
  - b. May 6, 2019 minutes correction-Natasha's Courtyard 024-06
6. PUBLIC HEARINGS
  - a. Critter's Fleet Service- File #009-19, Sketch
7. FINAL PLAT DETERMINATION
  - a. Morning Dove II, Phase 3 Lots 109-128, 172-201, 207-219 & Open Space F – File #044-16
8. PRELIMINARY PLAN ADVANCEMENT
  - a. Falling Waters Business Park- Lot 3B– File #006-19
9. STAFF/COUNSEL DISCUSSION/ACTION/MOTION
10. ADJOURNMENT

**\*\*The Planning Commission reserves the right to re-arrange items on the agenda due to time constraints of the public or Commission\*\***



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**PUBLIC HEARING  
STAFF REPORT  
REQUEST FOR SKETCH PLAN ADVANCEMENT  
September 3, 2019**

**Project:** Critter’s Fleet Service

**File #:** 009-19

**Developer:** Chris Shirley  
82 Potluck Road  
Hedgesville, WV 25427

**Engineer:** Fox & Associates  
981 Mt. Aetna Rd  
Hagerstown, MD 21740

**District, Tax Map & Parcel #:** Hedgesville District, Map 26, Parcels 5.2

**Location:** This project is located along the west side of Back Creek Valley Rd (WV Rt. 7) approximately 0.25 miles south of Heavenly Drive and 0.25 miles north of Cavern Rd.

**Project Description:** This project proposes a commercial development located on 24.76 acres, served by well and septic.

**Administrative History:**

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit) Letter Received	
Central Dispatch (Road Names) approved	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	
Appendix C – Environmental Impact Checklist	

MEETINGS & SUBMISSIONS	DATE
<b>Waiver Requests</b>	
Waiver Requested	3/19/19
Waiver Request Advertised	3/25/19

Waiver Granted	N/A
<b>Sketch Plan</b>	
Sketch Plan Submitted	7/19/2019
1 <sup>st</sup> Review Comments	7/25/2019 – P 7/23/2019 – E
Sketch Plan Re-Submitted	8/2/2019
2 <sup>nd</sup> Review Comments	8/7/19/2019 - P 8/8/2019 - E
Sketch Plan Re-Submitted	N/A
Sketch Plan Public Hearing Advertised	8/21/2019
Sketch Plan Advancement Meeting / Approved	9/03/19
<b>Preliminary Plan</b>	
Preliminary Plan Submitted	
1 <sup>st</sup> Review Comments	
Preliminary Plan Re-Submitted	
Preliminary Plan Advancement Meeting / Approved	
<b>Final Plat</b>	
Final Plat Submitted	
1 <sup>st</sup> Review Comments	
Final Plat Re-Submitted	
Final Plat Determination Meeting	
Final Plat Public Hearing Advertised	
Final Plat Public Hearing	
Final Plat Approval	
Bond Reduction	

**Waivers/ Exceptions:** A waiver to Article 8 Section 801.1.10 concerning paving of off-street parking was granted April 15, 2019.

**Engineer Report:** On August 8, 2019, the County Engineer, Dirk Stansbury, issued a letter of approval stating that a review of the above-mentioned project was completed and found to be in compliance with the Berkeley County Subdivision Ordinance.

**Staff Recommendation:** The Sketch Plan meets the requirements of the Subdivision Ordinance; therefore, Staff recommends advancement of the Sketch Plan to the Preliminary Plan stage.

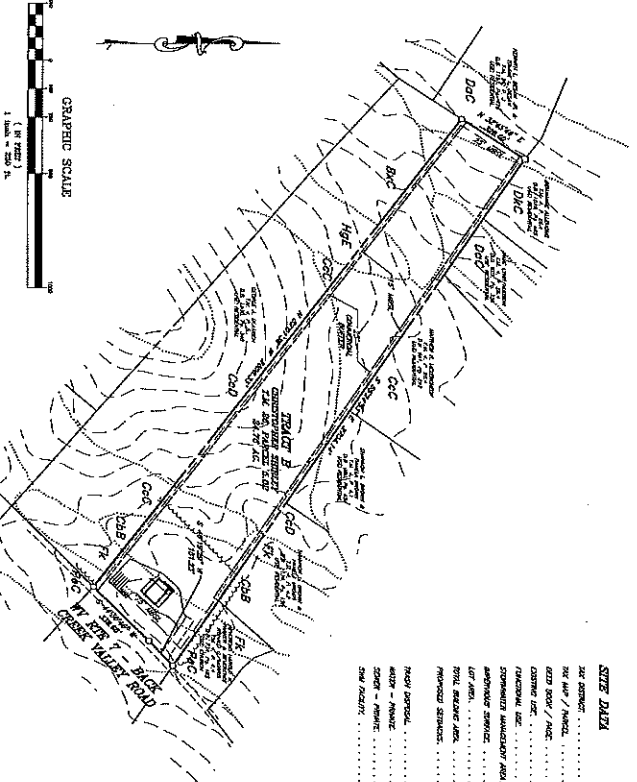
Respectfully Submitted,  
The Planning Department

Attachment                      Sketch Plan

**SOIL INFORMATION**

**GENERAL NOTES:**  
 1. ALL SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.  
 2. THE SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.  
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 15. THE SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.

# SKETCH PLAN FOR CRITTERS DIESEL AUTOMOTIVE HEDGESVILLE DISTRICT BERKELEY COUNTY, WEST VIRGINIA T.M. 26 PARCEL 5.02 D.B. 1197, PG. 451, TRACT B



- NOTES:**
1. SHOWING AND LOCATIONS ARE AS SHOWN ON THE 1:5000 SCALE.
  2. ALL TO BE DONE BY CONTRACTOR.
  3. TOPOGRAPHY SHOWN HEREIN IS FROM FIELD SURVEY BY THE ENGINEER, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
  4. THE SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.
  5. ALL OTHERS ARE TO BE DONE BY CONTRACTOR.
  6. THERE ARE NO RECORDS OF ANY KIND FOR THE PROPERTY, EXCEPT THE DEED AND THE SURVEY.
  7. THE SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.
  8. THE SOILS ARE CLASSIFIED AS TO TYPE AND BEARING CAPACITY BY THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA SOILS LABORATORY.
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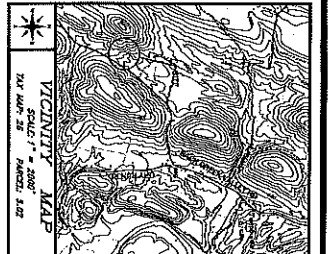
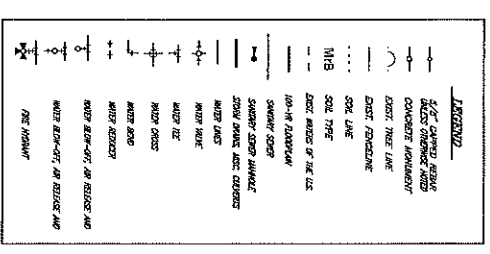
**GENERAL INFORMATION:**  
 THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO RECORDS OF ANY KIND FOR THE PROPERTY, EXCEPT THE DEED AND THE SURVEY. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO RECORDS OF ANY KIND FOR THE PROPERTY, EXCEPT THE DEED AND THE SURVEY.



**OWNER'S REPRESENTATIVE:**  
 CRITTERS DIESEL AUTOMOTIVE  
 1000 ...  
 ...

**SITE DATA**

ACRES	1.02
AREA	44,300 sq. ft.
PERMITS	...
...	...



**FOX & ASSOCIATES, INC.**  
 ENGINEERS • SURVEYORS • PLANNERS

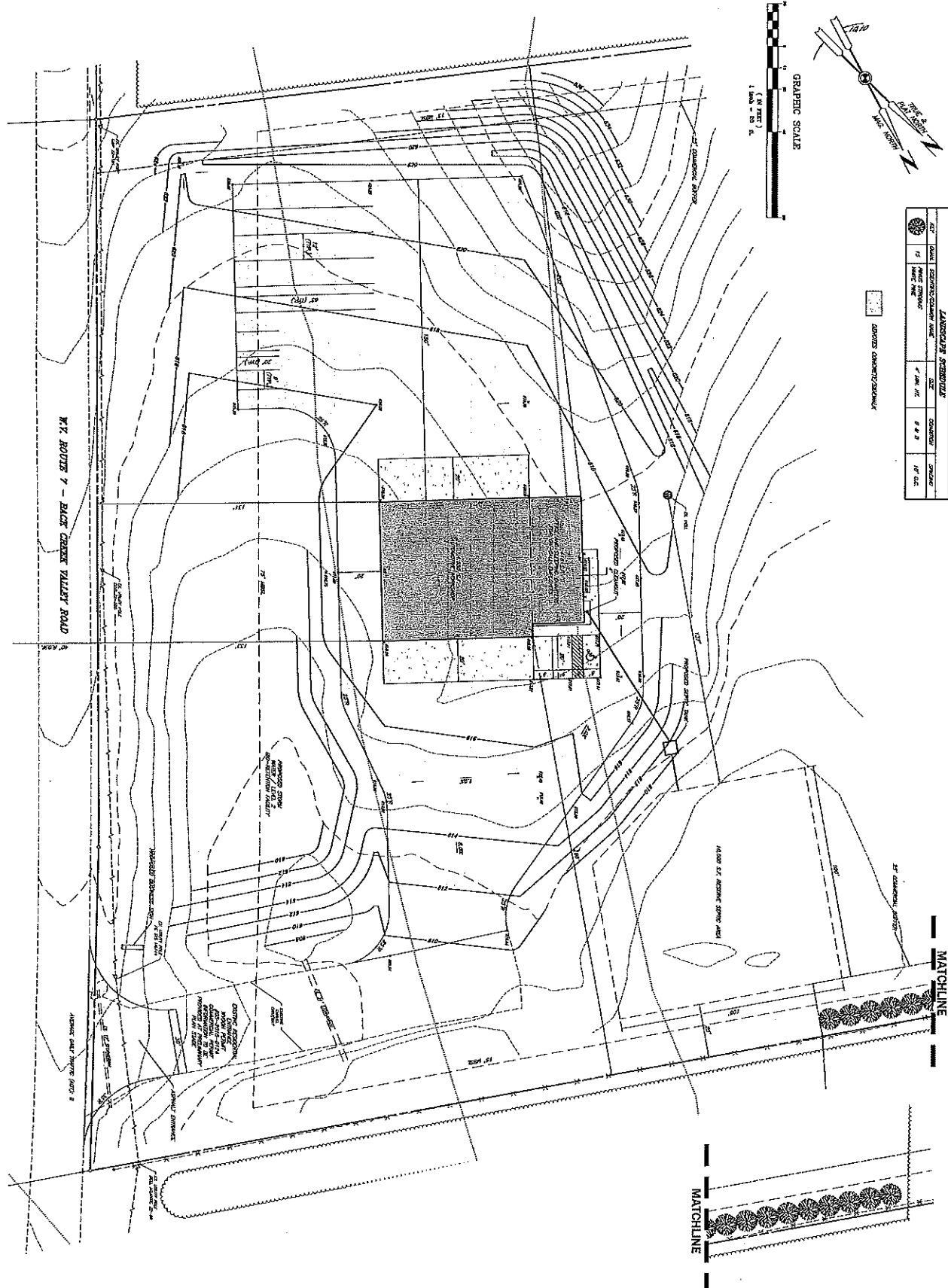
811 N. ASTOR ROAD  
 HAGERSTOWN, MD 21740  
 PHONE: (301)735-8833  
 FAX: (301)735-1853

82 WILBURS HILL COURT  
 SUITE "C"  
 FREDERICK, MD 21701  
 PHONE: (301)735-8833  
 FAX: (301)735-8833

EST. 1968



11/17/17 11:49:00 AM 11/17/17 11:49:00 AM 11/17/17 11:49:00 AM 11/17/17 11:49:00 AM 11/17/17 11:49:00 AM



NO.	DATE	DESCRIPTION	BY	CHKD.
1	11/17/17	ISSUED FOR PERMIT	JK	JK
2	11/17/17	REVISED	JK	JK
3	11/17/17	REVISED	JK	JK
4	11/17/17	REVISED	JK	JK
5	11/17/17	REVISED	JK	JK
6	11/17/17	REVISED	JK	JK
7	11/17/17	REVISED	JK	JK
8	11/17/17	REVISED	JK	JK
9	11/17/17	REVISED	JK	JK
10	11/17/17	REVISED	JK	JK

ADJUSTED CONTOUR INTERVAL

MATCHLINE

MATCHLINE

DATE PLOT NUMBER 000-19

PROJECT NO. 17-1146  
 DRAWING NO. 17-1146-01  
 DRAWING BY: JK  
 CHECKED BY: JK  
 DATE: 11/17/17

**SCALE 1" = 20'**

**SHEET 2 OF 2**

**SKETCH PLAN**  
**CRITTERS DIESEL AUTOMOTIVE**

SITUATE ON THE WEST SIDE OF W.V. RTE #7 BACK CREEK VALLEY RD.  
 BERKESVILLE ELECTION DISTRICT  
 BERKLEY COUNTY, WEST VIRGINIA

DATE: 11/17/17

SCALE: 1" = 20'

**FOX & ASSOCIATES, INC.**  
 ENGINEERS • SURVEYORS • PLANNERS

881 Mt. Athos Road  
 SUGGESTON, W.V. 26174  
 PHONE: (501) 733-8253  
 FAX: (501) 733-1463

82 WOODS MILL COURT  
 SUITE 'C'  
 FREDERICK, MD. 21701  
 PHONE: (301) 733-6585  
 FAX: (301) 733-6008

www.foxandassociates.com    Email: fox@foxandassociates.com

**FOX & ASSOCIATES, INC.**  
 EST. 1956



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### STAFF REPORT REQUEST FOR FINAL PLAT DETERMINATION September 3, 2019

**Project:** Morning Dove II, Phase 3, Lots 109-128, 172-201 207-219, and Open Space F

**File #:** 044-16

**Developer:** D R Acquisitions, LLC  
10212 Governor Lane, Suite 1006  
Williamsport, MD 21795

**Engineer:** Gordon  
148 S. Queen Street, Suite 201  
Martinsburg, WV 25401

**District, Tax Map & Parcel #:** Mill Creek District, Map 14, Parcel 88

**Location:** The project is located south of Giles Mill Rd/Bray Dr., intersection 1.5 miles east of the Giles Mill Rd/Rt.11 intersection, in the Mill Creek tax district.

**Project Description:** The Final Plat proposes the development of 63 single family lots and one section of Open Space on 74.64 acres, to be served by public water and sewer.

#### Administrative History:

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Wells and Septic)	n/a
Berkeley County Public Service Water District	3/24/17
Berkeley County Public Service Sewer District	3/24/17
State Health Department (Water)- permit#-20,100	11/15/17
State Health Department (Sewer)-permit # 20,099	11/15/17
Department of Highways (Entrance Permit) Letter Received	Existing from Phase 1
Central Dispatch (Road Names) approved	6/6/17
GPP Permit Application	6/4/19
NPDES Permit -WR108693	6/4/19
*Traffic Study	11/6/17
*School Impact Analysis	10/28/16
Appendix C – Environmental Impact Checklist	10/28/16
MEETINGS & SUBMISSIONS	DATE
Waiver Requests	
Waiver Requested	N/A
Waiver Request Advertised	N/A
Waiver Granted	N/A
Sketch Plan	
Sketch Plan Submitted	10/26/16
1 <sup>st</sup> Review Comments	11/10/16
Sketch Plan Re-Submitted	11/16/16

September 3, 2019

Sketch Plan Public Hearing Advertised	12/26/16
Sketch Plan Advancement Meeting / Approved	1/3/17
<b>Preliminary Plan</b>	
Preliminary Plan Submitted	5/31/17
1 <sup>st</sup> Review Comments	6/27/17 – P 8/25/17 – E
Preliminary Plan Re-Submitted	11/6/17
Preliminary Plan Advancement Meeting / Approved	12/4/17
<b>Final Plat</b>	
Final Plat submitted	6/4/19
1 <sup>st</sup> Review Comments	6/11/19 – P 6/24/19 – E
Revisions Submitted	7/26/19
2 <sup>nd</sup> Review Comments	7/29/19 – P
Revision Submitted	8/14/19
Final Plat Determination	9/3/19
Final Plat Advertised	
Final Plat Approval	

**Waivers/ Exceptions:** No waivers or exceptions have been requested for this phase.

**Engineer Report:** On July 31, 2019, the County Engineer, Dirk Stansbury, issued a letter of completion and found the project to be in compliance with the Berkeley County Subdivision Ordinance.

**Staff Recommendation:** The Final Plat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the October 7, 2019 Planning Commission Meeting.

Respectfully Submitted,  
The Planning Department

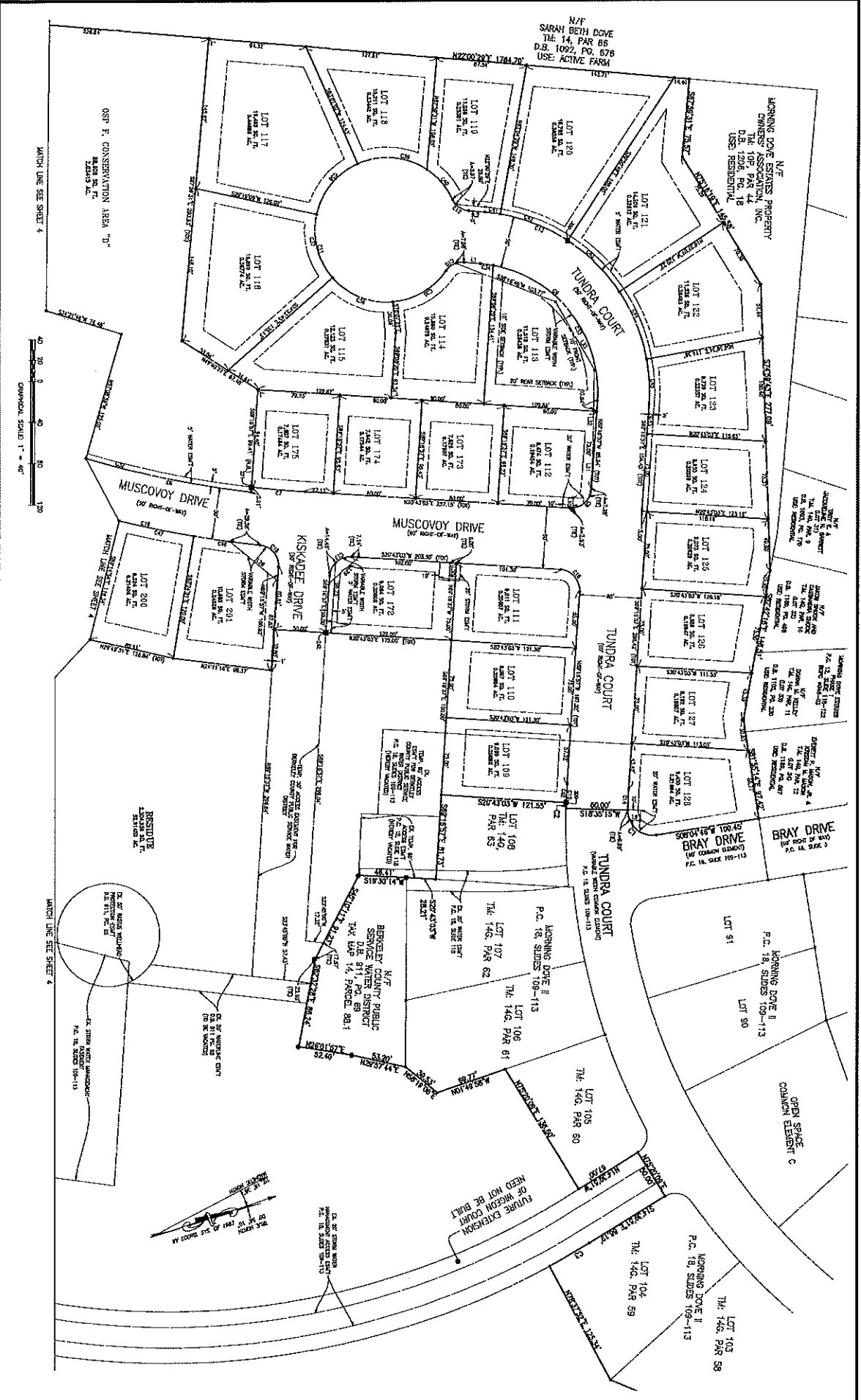
Attachment                      Final Plat

No.	Revisions	Date
1	APPROVED PLANNING COMMISSION COMMENTS	04-25-12

**Gordon**  
 ARCHITECTURAL AND PLANNING  
 CONSULTANTS  
 4901 Oak Drive  
 Chantilly, VA 20151  
 Phone: 703-251-1500  
 www.gordons.com


**FINAL PLAN**  
 of  
**LOTS 109-128, 172-201/207-218 AND OSP F**  
**MORNING DOVE II, PHASE 3**

DATE: MAY 7, 2013  
 PROJECT NO.: 2013-001  
 SHEET NO.: 3 OF 5





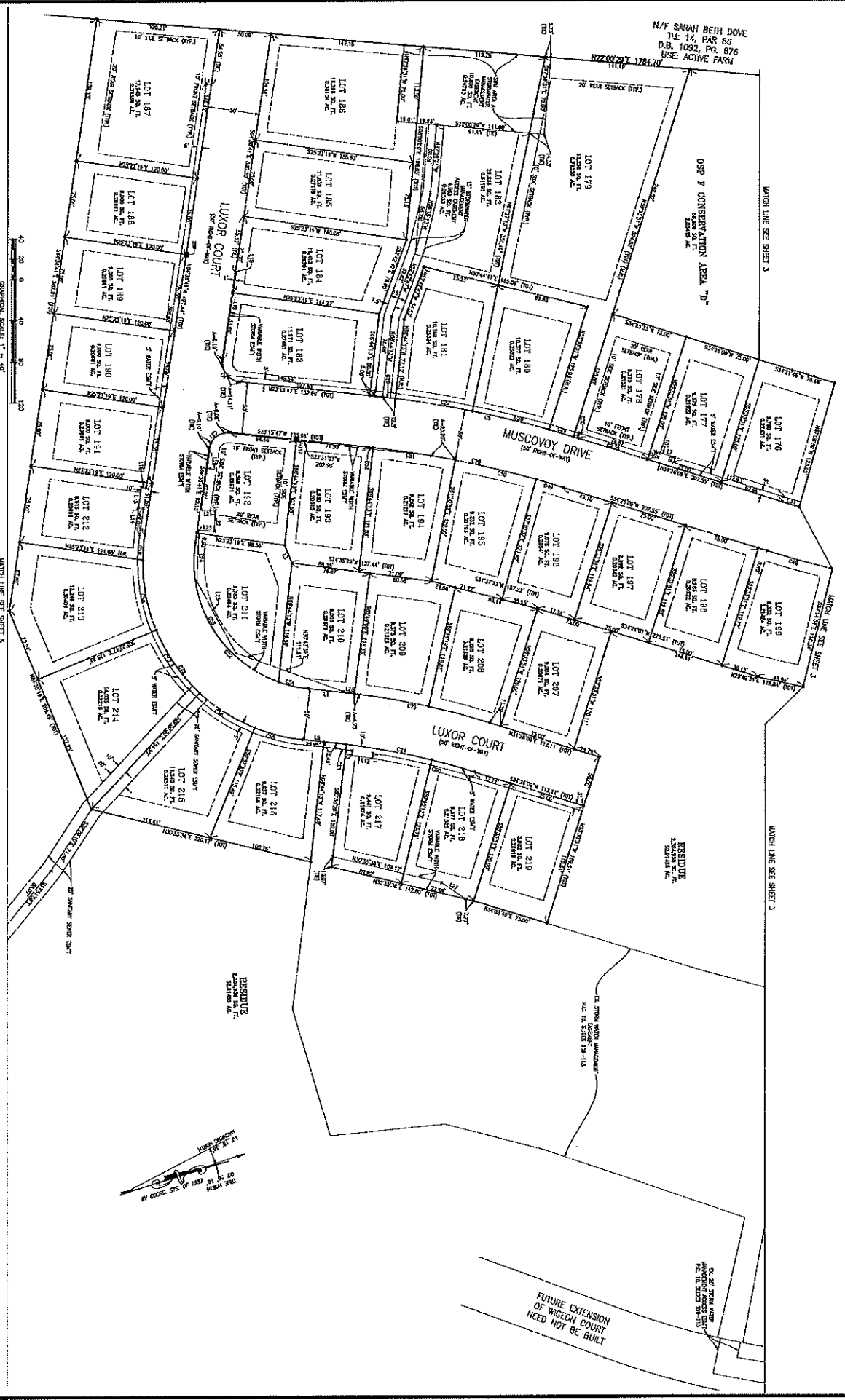
No.	REVISION
1	ADDED PLANNING COMMISSION COMMENTS
2	DATE: 02-13-10



**Gordon**  
 PROFESSIONAL ENGINEERING  
 CIVIL ENGINEERING  
 4801 Day Drive  
 Chesley, VA 22821  
 Phone: 703-201-1900  
 www.gordonva.com

**FINAL PLAN**  
 LOTS 109-124, 172-201, 207-219 AND OSP F  
 MORNING DOVE II, PHASE 3  
 DATE: 02-13-10  
 DRAWN BY: J. HARRIS  
 CHECKED BY: J. HARRIS  
 REVISIONS: NONE

SCALE: AS SHOWN  
 DATE: MAR 2, 2010  
 PROJECT: 104-201-001  
 PHASE: 3A  
 DRAWING: PL  
 LOTS: 109-124, 172-201, 207-219 AND OSP F  
 SHEET: 4 OF 5





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### STAFF REPORT REQUEST FOR PRELIMINARY PLAN APPROVAL September 3, 2019

**Project:** Falling Waters Business Park – Lot 3B

**File #:** 006-19

**Developer:** Rental Properties, Inc.  
222 Langston Blvd.  
Martinsburg, WV 25404

**Engineer:** Fox & Associates  
981 Mt. Aetna Road  
Hagerstown, MD 21740

**District, Tax Map & Parcel #:** Falling Waters District, Map 14, Parcel 11.15

**Location:** This project is located on the west side of Langston Boulevard and east of Interstate 81.

**Project Description:** This project proposes a 27,500 sq. ft. warehouse building, to be served by public water and sewer.

#### Administrative History:

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	5/31/2019
Berkeley County Public Service Sewer District (Sewer Availability)	5/31/2019
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit) Letter Received	8/29/19
Central Dispatch (Road Names) approved	N/A
GPP Permit Application	7/26/2019
NPDES Permit Application	7/26/2019
*Traffic Study	N/A
*School Impact Analysis	N/A
Appendix C – Environmental Impact Checklist	3/1/2019

MEETINGS & SUBMISSIONS	DATE
<b>Waiver Requests</b>	
Waiver Requested	N/A
Waiver Request Advertised	N/A
Waiver Granted	N/A
<b>Sketch Plan</b>	

September 3, 2019

Sketch Plan Submitted	3/1/2019
1 <sup>st</sup> Review Comments	3/5/2019 – P 3/8/2019 – E
Sketch Plan Re-Submitted	4/2/2019
Sketch Plan Public Hearing Advertised	3/22/2019
Sketch Plan Advancement Meeting / Approved	5/6/2019
<b>Preliminary Plan</b>	
Preliminary Plan Submitted	5/31/2019
1 <sup>st</sup> Review Comments	6/6/2019 – P 6/11/2019 – E
Preliminary Plan Re-Submitted	7/16/2019
2 <sup>nd</sup> Review Comments	7/17/2019 – P 7/19/2019 – E
Preliminary Plan Re-Submitted	7/26/2019
3 <sup>rd</sup> Review Comments	7/29/2019 – P
Preliminary Plan Re-Submitted	8/29/19
Preliminary Plan Advancement Meeting / Approved	
<b>Final Plat</b>	
Final Plat Submitted	
1 <sup>st</sup> Review Comments	
Final Plat Re-Submitted	
Final Plat Determination Meeting	
Final Plat Public Hearing Advertised	
Final Plat Public Hearing	
Final Plat Approval	
Bond Reduction	

**Waivers/ Exceptions:** The developer was granted an exception to Section 705 to not install sidewalks, at the May 6, 2019 Planning Commission meeting.

**Engineer Report:** On August 1, 2019, the County Engineer, Dirk Stansbury, issued a letter of approval stating that a review of the above-mentioned project was completed and found to be in compliance with the Berkeley County Subdivision Ordinance.

**Staff Recommendation:** The Preliminary Plan meets the requirements of the Subdivision Ordinance (2009); therefore, Staff recommends advancement of the Preliminary Plan to Final Plat stage.

Respectfully Submitted,

The Planning Department

Attachment Preliminary Plan

September 3, 2019

